

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1447 be amended to read as follows:

- 1 Page 220, between lines 20 and 21, begin a new paragraph and
2 insert:
3 "SECTION 181. IC 36-8-13-3 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The
5 executive of a township, with the approval of the legislative body, may
6 do the following:
7 (1) Purchase firefighting and emergency services apparatus and
8 equipment for the township, provide for the housing, care,
9 maintenance, operation, and use of the apparatus and equipment
10 to provide services within the township but outside the corporate
11 boundaries of municipalities, and employ full-time or part-time
12 personnel to operate the apparatus and equipment and to provide
13 services in that area. Preference in employment under this section
14 shall be given according to the following priority:
15 (A) A war veteran who has been honorably discharged from
16 the United States armed forces.
17 (B) A person whose mother or father was a:
18 (i) firefighter of a unit;
19 (ii) municipal police officer; or
20 (iii) county police officer;
21 who died in the line of duty (as defined in IC 5-10-10-2).
22 A person described in this subdivision may not receive a
23 preference for employment unless the person applies for
24 employment and meets all employment requirements prescribed

by law, including physical and age requirements, and all employment requirements prescribed by the fire department.

(2) Contract with a municipality in the township or in a contiguous township that maintains adequate firefighting or emergency services apparatus and equipment to provide fire protection or emergency services for the township in accordance with IC 36-1-7.

(3) Cooperate with a municipality in the township or in a contiguous township in the purchase, maintenance, and upkeep of firefighting or emergency services apparatus and equipment for use in the municipality and township in accordance with IC 36-1-7.

(4) Contract with a volunteer fire department that has been organized to fight fires in the township for the use and operation of firefighting apparatus and equipment that has been purchased by the township in order to save the private and public property of the township from destruction by fire, including use of the apparatus and equipment in an adjoining township by the department if the department has made a contract with the executive of the adjoining township for the furnishing of firefighting service within the township.

(5) Contract with a volunteer fire department that maintains adequate firefighting service in accordance with IC 36-8-12.

(b) This subsection applies only to townships that provide fire protection or emergency services or both under subsection (a)(1) and to municipalities that have ~~all~~ **some part of the** municipal territory ~~completely~~ within a township and do not have a full-time paid fire department. A township may provide fire protection or emergency services or both without contracts inside the corporate boundaries of the municipalities if before July 1 of a year the following occur:

(1) The legislative body of the municipality adopts an ordinance to have the township provide the services without a contract.

(2) The township legislative body passes a resolution approving the township's provision of the services without contracts to the municipality.

In a township providing services to a municipality under this section, the legislative body of either the township or a municipality in the township may opt out of participation under this subsection by adopting an ordinance or a resolution, respectively, before July 1 of a year.

(c) This subsection applies only to a township that:

(1) is located in a county containing a consolidated city;

(2) has at least three (3) included towns (as defined in IC 36-3-1-7) that have all municipal territory completely within the township on January 1, 1996; and

(3) provides fire protection or emergency services, or both, under subsection (a)(1);

1 and to included towns (as defined in IC 36-3-1-7) that have all the
2 included town's municipal territory completely within the township. A
3 township may provide fire protection or emergency services, or both,
4 without contracts inside the corporate boundaries of the municipalities
5 if before August 1 of the year preceding the first calendar year to which
6 this subsection applies the township legislative body passes a
7 resolution approving the township's provision of the services without
8 contracts to the municipality. The resolution must identify the included
9 towns to which the resolution applies. In a township providing services
10 to a municipality under this section, the legislative body of the
11 township may opt out of participation under this subsection by adopting
12 a resolution before July 1 of a year. A copy of a resolution adopted
13 under this subsection shall be submitted to the executive of each
14 included town covered by the resolution, the county auditor, and the
15 department of local government finance."

16 Renumber all SECTIONS consecutively.
(Reference is to HB 1447 as printed February 20, 2009.)

Representative Thompson